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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,350	11/14/2003	Bobby Hu	CFP-1964 (15722/598)	3334
23595	7590	05/03/2005	EXAMINER	
NIKOLAI & MERSEREAU, P.A. 900 SECOND AVENUE SOUTH SUITE 820 MINNEAPOLIS, MN 55402			SHAKERI, HADI	
			ART UNIT	PAPER NUMBER
			3723	

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/714,350

Applicant(s)

HU, BOBBY

Examiner

Hadi Shakeri

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

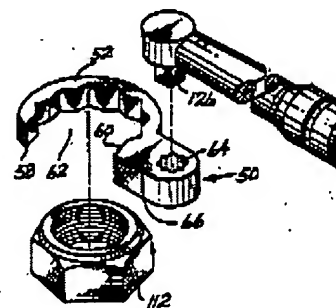
### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4-8 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scull (4,688,454) in view of Arnold et al. (5,199,335) or Nickipuck (5,694,818).

Scull meets all of the limitations of claim 1, i.e., a wrench head including a drive portion (52) and a second end (60) including a double end socket (64) having angled portions, each including two sidewalls meeting at a common line the respective sidewall joining an associated one of the sidewalls of another



adjacent angled portion forming a ridge, yielding 45 degrees increments of movement, except for disclosing twelve angle portions, i.e., a treble square hole.

Arnold et al. teaches angularly adjustable wrench head, stating that with the manipulation of the size and spacing of teeth the locking increments may be chosen depending on the specialized needs of the user, 05:39. Nickipuck teaches angularly adjustable wrench head, stating that 18 pin orifices results in 20 degree increments and twelve pin results in 30 degree increments and so on, 04:51-57.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the invention of Scull with treble square to adapt the tool for 30-degree movement depending on the specialized needs of the user as taught by Arnold et al. or Nickipuck.

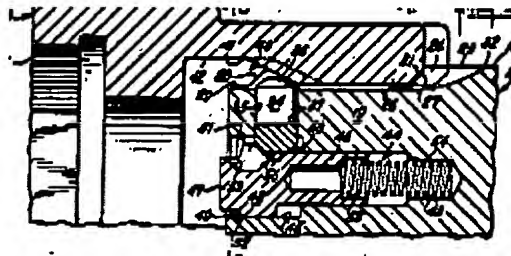
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Regarding claims, 2, 4-8 and 11-15, Scull as modified by Arnold et al. or Nickipuck meets the limitations, i.e., 30° increments; drive portions including two jaws, C-shaped box end, box end, reversible mechanism. Note that even though a "box end" drive head as defined by the specification is disclosed, e.g., by Scull in reference to Evens, 02:04, modifying the drive portion of the modified prior art (Scull in view of Arnold et al. or Nickipuck), in a form of a socket, e.g., per Evens, depending on the intended use would be well within the knowledge of one of ordinary skill in the art.

3. Claims 3, 6, 10 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over prior art (Scull in view of Arnold et al. or Nickipuck) as applied to claims 1 and 2 above, and further in view of Beers (3,073,192).

Scull as modified by Arnold et al. or Nickipuck meet all of the limitations of the above claims, except for a recess portion. Note that limitations given to a handle not part of the claimed invention does not add any structural limitations to the wrench head as recited, i.e., the ridge having a recess which may be used to engage a locating ring or the like.

Beers a wrench head (socket 20) having a drive portion (21) and a second end including a polygonal hold having angled portion with ridges (spines 26) having recess (defined by 40) adapted to receive a ball of a square tang for locating the same, Figs. 3-6.



It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to further modify the modified invention of prior art (Scull in view of Arnold et al. or Nickipuck) with the recessed portion adapted to mate or lock with known or standard locking mechanism.

**Conclusion**

4. Prior art made of record and not relied upon are considered pertinent to applicant's disclosure. Hyatt, Bacon, and Zilliox are cited to show related inventions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hadi Shakeri whose telephone number is (571) 272-4495. The examiner can normally be reached on Monday-Thursday.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hadi Shakeri  
Primary Examiner  
Art Unit 3723  
April 28, 2005